



City of Pomona

505 S. Garey Ave
Pomona, CA 91766

Regular Meeting Minutes

City Council / Housing Authority / Successor Agency to the Redevelopment Agency

Mayor Tim Sandoval
Councilmember Rubio R. Gonzalez
Councilmember Victor Preciado
Vice Mayor Nora Garcia
Councilmember Elizabeth Ontiveros-Cole
Councilmember Steve Lustro
Councilmember Robert S. Torres

VISION STATEMENT

*Pomona will be recognized as a vibrant, safe, beautiful
community that is a fun and exciting destination and the home of
arts and artists, students and scholars, business and industry.*

Monday, September 14, 2020

7:00 PM

Teleconference via Zoom

5:30 P.M. Via Zoom, closed to the public

CLOSED SESSION

- A) CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION
(Pursuant to Government Code Section 54956.9(d)(1))

Edil Vazquez and Steve Congalton v. City of Pomona
L.A. County Superior Court; Case No. 20STCV15371

Chad Jensen and Michael Neaderbaomer v. City of Pomona
L.A. County Superior Court; Case No. 20STCV17625

- B) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Pursuant to Government Code Section 54957.9(d)(1))

Cho v. City of Pomona, et al.
L.A. County Superior Court; Case No. 20PSCV00410

- C) LIABILITY CLAIMS
(Pursuant to Government Code Section 54956.95)

Claimant: Bill Knight
Claim Against: City of Pomona

Claimant: Mark Medellin
Claim Against: City of Pomona

D) CONFERENCE WITH LABOR NEGOTIATORS
(Pursuant to Government Code Section 54957.6)

Part Time Unrepresented Employees
Part Time General Employees Unit
Unrepresented Group A and B Employees
Unrepresented Mid-Management Group C-2 Employees
Pomona City Employees' Association, a Chapter of Teamsters Local 1932
Pomona Mid-Management Confidential Employees Association (PMMCEA)
Pomona Police Officers Association (PPOA)
Pomona Police Managers Association (PPMA)

Labor Negotiators: James Makshanoff and Linda Matthews

E) CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Pursuant to Government Code Section 54956.8)

Property: 255 West Mission Blvd. APN's 8341-008-024 &
8341-008-025

Negotiating Party: CHABALLOUT, BASSAM TR
OPTIMIX TRUST I AND
MEYER, E JR TR PRIVATE TRUST II

City's Negotiator: James Makshanoff, City Manager

Under Negotiation: Price and terms

Property : 1374 South Garey Ave, APN 8333-020-028

Negotiating Party: BOYS AND GIRLS CLUB OF POMONA

City's Negotiator: James Makshanoff, City Manager

Under Negotiation: Price and terms

7:00 P.M. Teleconference via Zoom, closed to the public

*Due to technical difficulties with Zoom webinar, recording does not begin until approximately 2:30 into the meeting

CALL TO ORDER

Mayor Sandoval called the City Council Meeting to order at 7:00 p.m.

CITY ATTORNEY REPORT OUT FROM CLOSED SESSION

City Attorney Sonia Carvalho reported that the agenda matters of pending litigation, anticipated litigation, liability claims, labor negotiations and real property negotiations were discussed and there was no reportable action on those items.

PLEDGE OF ALLEGIANCE

Councilmember Preciado led the Pledge of Allegiance.

ROLL CALL

Present via Zoom: Mayor Tim Sandoval
Councilmember Victor Preciado
Vice Mayor Nora Garcia
Councilmember Elizabeth Ontiveros-Cole
Councilmember Steve Lustro
Councilmember Robert Torres

Not Present per May 23, 2020 City Council Resolution of Censure:

Councilmember Rubio Gonzalez

STAFF PRESENT via Zoom

James Makshanoff, City Manager
Sonia Carvalho, City Attorney
Rosalia Butler, City Clerk
John DePolis, IT Director
Kirk Pelser, Deputy City Manager
Mark Gluba, Deputy City Manager
Linda Matthews, Human Resources Director
Rene Guerrero, Public Works Director
Andrew Mowbray, Finance Director

Anita Gutierrez, Development Services Director
Benita DeFrank, Neighborhood Services Director
Chris Diggs, Water Resources Director
Mike Ellis, Police Chief
Arnold Dichosa, City Engineer
Christian Hsu, Police Captain
Jim Robinson, Fire Chief
Mike Osoff, Community Services Manager
Ata Khan, Senior Planner

MAYOR/COUNCILMEMBER COMMUNICATIONS

In accordance with AB1234, the Mayor and Councilmembers reported on the following:

(Due to technical difficulties with Zoom webinar, recording does not begin until approximately 2:30 into the meeting therefore Councilmember Preciado and Councilmember Ontiveros-Cole's comments cannot be documented. Councilmember Garcia had no comments)

Councilmember Lustro spoke on a neighborhood watch meeting and attended the swearing in of his appointed youth commissioner.

Councilmember Torres thanked firefighters for their work throughout California. He also reported that after working with members of Congress the City of Pomona will be receiving over \$1 million in CDBG funds and stated he hopes that the council will put that towards rent relief and small business assistance.

Mayor Sandoval reported that on September 25 Latino/Latina Roundtable would be hosting a virtual Cesar Chavez breakfast. He also reported that the Mayor's Police Reform and Accountability Task Force would be meeting virtually tomorrow, September 15. The Mayor thanked American Legion Post 30 for the September 11 remembrance ceremony that also involved the Pomona Police Department.

CITY MANAGER COMMUNICATIONS

City Manager James Makshanoff had nothing to report.

PUBLIC PARTICIPATION

Public Participation-In response to the global COVID 19 pandemic and in accordance with California Governor's Executive Order N 25 20 regarding the Brown Act and guidance from the California Department of Public Health on gatherings, please note that comments for

Public Participation or for a specific item on the agenda were accepted by email and also were accepted live during the meeting via the chat feature on Zoom or voice. Comments received electronically via email and read into the record by the city clerk.

****PLEASE SEE ATTACHMENT FOR EMAIL COMMENTS READ DURING PUBLIC PARTICIPATION.**

Live comments were as follows:

Benjamin Wood, PUSH, spoke about the rent and eviction protections from the State and the County not being enough and urged the council to take action to make up for the gap in order to protect tenants.

Yesenia Miranda Meza, PUSH, spoke about evictions still occurring in Pomona due to a loophole in the State's protections. She urged council to pass an ordinance that would protect tenants where the State has failed to do so. She stated that policies need to be in place that would protect tenants when they have to go to court to face eviction.

Mayor Sandoval asked the city attorney to look into the new state regulations and bring back to council her legal recommendations for what should be done to protect tenants in Pomona.

CONSENT CALENDAR

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER GONZALEZ NOT PRESENT DUE TO CENSURE), to approve the entire consent calendar except Items 2, 3, and 21 which were voted on in separate motions.

1. Approval of the recommended spending plan for the \$1,911,546 of Coronavirus Relief Funds (CRF) and amending the FY 2020-21 Operating Budget

It is recommended that the City Council take the following actions:

- 1) Adopt the following resolution approving substantial amendments to the FY 2020-21 City Operating Budget:

RESOLUTION NO. 2020-133 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2020-21 CITY OPERATING BUDGET BY INCREASING REVENUE ESTIMATES IN THE AMOUNT OF \$1,911,546 AND APPROPRIATIONS IN THE AMOUNT OF \$439,655 FOR CORONA VIRUS RELIEF FUNDS (CRF)

- 2) Approve the recommended distribution of \$1,911,546 in Coronavirus Relief Funds (CRF) between the six defined categories as outlined herein
- 3) Authorize the City Manager, or his designee to enter into and to take all necessary action related to the Corona Virus Relief Funds (CRF) to address unforeseen financial needs and risk created by the COVID-19 public health emergency.

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER GONZALEZ NOT PRESENT DUE TO CENSURE) to adopt Resolution No. 2020-133

2. Approval of Funding of \$75,000 to The Pomona Economic Opportunity Center (PEOC) in Accordance with the Defined Disbursement Schedule

It is recommended that the City Council approve funding for the Pomona Economic Opportunity (the "PEOC") for Fiscal Year 2020-2021 in the amount of \$75,000 to be disbursed in four equal payments of \$18,750 at the end of each quarter after receipt, review and approval of the respective Quarterly Reports.

This item was pulled for discussion because speaker emails were submitted and a live participant asked to comment.

****PLEASE SEE ATTACHMENT FOR EMAIL COMMENTS READ REGARDING ITEM 2.**

Live comment was as follows:

Fernando Romero, Executive Director of PEOC, spoke about the need for organizations like PEOC and the services they provide in the community.

Councilmembers made comments regarding PEOC and the valuable work they do in the community specifically this year with the 2020 Census and the COVID-19 Action Committee. Mr. Romero answered questions regarding funding and wages in the PEOC.

MOTION BY COUNCILMEMBER SANDOVAL, SECOND BY COUNCILMEMBER GARCIA, CARRIED 5-1 (COUNCILMEMBER ONTIVEROS-COLE OPPOSES AND COUNCILMEMBER GONZALEZ NOT PRESENT DUE TO CENSURE) to approve funding of \$75,000 to The Pomona Economic Opportunity Center (PEOC) in Accordance with the Defined Disbursement Schedule

3. Approval of Funding of \$50,000 to the Pomona Chamber of Commerce in Accordance with the Defined Disbursement Schedule

It is recommended that the City Council approve funding for the Pomona Chamber of Commerce (the "Chamber") for Fiscal Year 2020-2021 in the amount of \$50,000 to be disbursed in four equal quarterly payments of \$12,500 at the beginning of each quarter.

This item was pulled for discussion because speaker emails were submitted.

****PLEASE SEE ATTACHMENT FOR EMAIL COMMENTS READ REGARDING ITEM 3.**

MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER PRECIADO, CARRIED 6-0 (COUNCILMEMBER GONZALEZ NOT PRESENT DUE TO CENSURE) to approve funding of \$50,000 to the Pomona Chamber of Commerce in Accordance with the Defined Disbursement Schedule

4. Approval of Lot Line Adjustment LLA4-2020, Assessor Parcel Numbers 8339-022-017 and -018, for Improved Vehicular and Handicap Accessibility to Residential Property Located at 171-185 Lincoln Avenue, Pomona (Council District 4)

It is recommended that the City Council take the following actions:

- 1) Adopt the following resolution:

RESOLUTION NO. 2020-129 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING LOT LINE ADJUSTMENT LLA4-2020, FOR THE PROPERTIES LOCATED AT 171-185 LINCOLN AVENUE, POMONA, CA, ASSESSOR PARCEL NUMBERS 8339-022-017 AND -018

- 2) Authorize the City Engineer to sign the Lot Line Adjustment LLA4-2020 on behalf of the City.

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER GONZALEZ NOT PRESENT DUE TO CENSURE) to adopt Resolution No. 2020-129.

5. Lot Line Adjustment for Expansion of the City Water Booster Pump 6 Site (Council District 3)

It is recommended that the City Council take the following actions:

- 1) Adopt the following resolution:

RESOLUTION NO. 2020-130 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING LOT LINE ADJUSTMENT LLA2-2020, FOR THE PROPERTIES LOCATED AT 1390-1394 E. MISSION BOULEVARD, POMONA, CA, ASSESSOR PARCEL NUMBERS 8327-014-900 AND -907

- 2) Authorize the City Engineer to sign the Lot Line Adjustment LLA2-2020 on behalf of the City

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER GONZALEZ NOT PRESENT DUE TO CENSURE) to adopt Resolution No. 2020-130.

6. Lot Line Adjustment to Create a Parcel Designated to the City Water Reservoir 10 Site (Council District 5)

It is recommended that the City Council take the following actions:

- 1) Adopt the following resolution:

RESOLUTION NO. 2020-131 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING LOT LINE ADJUSTMENT LLA3-2020, TO CREATE A PARCEL DESIGNATED TO THE CITY WATER RESERVOIR 10 SITE LOCATED AT 1500 STORRS PLACE, ASSESSOR PARCEL NUMBERS 8704-003-902, -904 AND 8704-028-902

- 2) Authorize the City Engineer to sign the Lot Line Adjustment LLA3-2020 on behalf of the City

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER GONZALEZ NOT PRESENT DUE TO CENSURE) to adopt Resolution No. 2020-131.

7. Approval of Lot Merger Related to the Consolidation and Sale of an Existing Industrial Property (Council District 4)

It is recommended that the City Council take the following actions:

- 1) Adopt the following resolution:

RESOLUTION NO. 2020-132 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING LOT MERGER LM5-2020 FOR THE PROPERTIES LOCATED AT 159 N. SAN ANTONIO AVENUE, ASSESSOR PARCEL NUMBERS 8337-018-025, -042 AND 8337-020-035

- 2) Authorize the City Engineer to sign the Lot Merger LM5-2020 on behalf of the City.

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER GONZALEZ NOT PRESENT DUE TO CENSURE) to adopt Resolution No. 2020-132.

8. Authorize Submittal of a Youth Community Access Grant Program Application through the Control, Regulate and Tax Adult Use of Marijuana Act (Proposition 64)

It is recommended that the City Council authorize staff to submit a grant application for the Youth Community Access Grant Program to California Natural Resources Agency through The Control, Regulate and Tax Adult Use of Marijuana Act

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER GONZALEZ NOT PRESENT DUE TO CENSURE) to authorize staff to submit a grant application for the Youth Community Access Grant Program to California Natural Resources Agency through the Control, Regulate and Tax Adult Use of Marijuana Act (Proposition 64).

9. Approve Amending the FY 2020-21 Capital Improvement Program (CIP) by Modifying the Project Description for "Street Rehabilitation - Districts 1 and 6," Project No. 428-2590-XXXXX-67931

It is recommended that the City Council approve the modification of the project description for CIP project, "Street Rehabilitation - Districts 1 and 6," Project No. 428-2590-XXXXX-67931 to read as follows:

This project provides rehabilitation for local city streets within Districts 1 and 6 per the City's Pavement Management Program. The project will be constructed bi-annually. Hamilton Boulevard (Holt Ave to Orange Grove Ave) from north to south, Dudley Street (Holt Ave to Orange Grove Ave), 1st Street (Garey Ave to Park Ave), Grove Street (Fulton Rd to Towne Ave) from east to west, all as funds allow.

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER GONZALEZ NOT PRESENT DUE TO CENSURE) to approve the modification of the project description for CIP project, "Street Rehabilitation - Districts 1 and 6," Project No. 428-2590-XXXXX-67931 to reflect the recommended changes.

10. Procurement with Makai Solutions for Fleet Shop Vehicle Hoists in the Amount Not-to-Exceed \$326,355

It is recommended that the City Council approve a procurement with Makai Solutions for portable vehicle hoists in an amount not-to-exceed \$326,355 for "Fleet Shop Vehicle Hoist Replacements," CIP Project No. 428-2590-XXXXX-71056.

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER GONZALEZ NOT PRESENT DUE TO CENSURE) to approve a procurement with Makai Solutions for portable vehicle hoists in an amount not-to-exceed \$326,355 for "Fleet Shop Vehicle Hoist Replacements," CIP Project No. 428-2590-XXXXX-71056.

11. Approval of an Integrated Resource Plan for Pomona Choice Energy Community Choice Aggregation Program

It is recommended that the City Council adopt the following resolution:

RESOLUTION NO. 2020-128 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING AN INTEGRATED RESOURCE PLAN FOR POMONA CHOICE ENERGY COMMUNITY CHOICE AGGREGATION PROGRAM

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER GONZALEZ NOT PRESENT DUE TO CENSURE) to adopt Resolution No. 2020-128.

12. Approve an Agreement to Prominent Systems, Inc. for the purchase of Granular Activated Carbon and Perchlorate Resin Media

It is recommended that the City Council take the following actions:

- 1) Approve a contract with Prominent Systems, Inc. for the purchase of Granular Activated Carbon (GAC) removal and replacement services, and for the purchase of perchlorate resin media removal and replacement services for the term of, September 14, 2020 to June 30, 2021, for the amount not-to-exceed \$860,013.74; and
- 2) Authorize the City Manager, or designee, to sign the agreement with Prominent Systems, Inc.

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER GONZALEZ NOT PRESENT DUE TO CENSURE) to approve a contract with Prominent Systems, Inc. for the purchase of Granular Activated Carbon (GAC) removal and replacement services, and for the purchase of perchlorate resin media removal and replacement services for the term of, September 14, 2020 to June 30, 2021, for the amount not-to-exceed \$860,013.74; and Authorize the City Manager, or designee, to sign the agreement with Prominent Systems, Inc.

13. Request to Consider Removal of Commissioner Vince Carpio from the Community Life Commission

It is recommended that the City Council remove District 1 appointee, Commissioner Vince Carpio, from the Community Life Commission, based on numerous unexcused absences.

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER GONZALEZ NOT PRESENT DUE TO CENSURE) to remove District 1 appointee, Commissioner Vince Carpio, from the Community Life Commission, based on numerous unexcused absences.

14. Acceptance of the State of California Office of Traffic Safety (OTS) Pedestrian and Bicycle Safety Grant and Amending the FY 2020-21 Operating Budget by Increasing Revenue Estimates and Appropriations by \$44,000

It is recommended that the City Council take the following actions:

- 1) Adopt the following resolution:

RESOLUTION NO. 2020-120 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ACCEPTING THE STATE OF CALIFORNIA OFFICE OF TRAFFIC SAFETY (OTS) PEDESTRIAN AND BICYCLE SAFETY GRANT IN THE AMOUNT OF \$44,000 AND AMENDING THE FY 2020-21 OPERATING BUDGET BY INCREASING REVENUE ESTIMATES AND APPROPRIATIONS BY SAID FUNDS

- 2) Authorize the City Manager, or designee, to execute any and all agreements on behalf of the City, in substantially the form submitted, subject to review and approval as to form by the City Attorney.

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER GONZALEZ NOT PRESENT DUE TO CENSURE) to adopt Resolution No. 2020-120.

15. Acceptance of the State of California Office of Traffic Safety (OTS) Selective Traffic Enforcement Program (STEP) Grant and Amending the FY 2020-21 Operating Budget by Increasing Revenue Estimates and Appropriations by \$403,500

It is recommended that the City Council take the following actions:

- 1) Adopt the following resolution:

RESOLUTION NO. 2020-119 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ACCEPTING THE STATE OF CALIFORNIA OFFICE OF TRAFFIC SAFETY (OTS) SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) GRANT IN THE AMOUNT OF \$403,500 AND AMENDING THE FY 2020-21 OPERATING BUDGET BY INCREASING REVENUE ESTIMATES AND APPROPRIATIONS BY SAID FUNDS

- 2) Authorize the City Manager, or designee, to execute any and all agreements on behalf of the City, in substantially the form submitted, subject to review and approval as to form by the City Attorney.

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER GONZALEZ NOT PRESENT DUE TO CENSURE) to adopt Resolution No. 2020-119.

16. Approval of Appointment to Fill the Mayor Vacancy on the Board of Parking Place Commissioners (Vehicle Parking District)

It is recommended that the City Council review the application and approve the appointment of Mr. Luis Angel Corcuera to serve as the Mayor's Representative on the Board of Parking Place Commissioners (VPD).

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER GONZALEZ NOT PRESENT DUE TO CENSURE) to approve the appointment of Mr. Luis Angel Corcuera to serve as the Mayor's Representative on the Board of Parking Place Commissioners (VPD).

17. Report Affirming Policy Changes to the Public Art Fund

It is recommended that the City Council receive and file the report affirming policy changes to the Public Art Fund (Fund 133), a fund established through the Arts in Public Places Ordinance (AIPP).

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER GONZALEZ NOT PRESENT DUE TO CENSURE) to receive and file the report affirming policy changes to the Public Art Fund (Fund 133), a fund established through the Arts in Public Places Ordinance (AIPP).

18. Conflict of Interest Code Biennial Notice Required by the Political Reform Act

It is recommended that the City Council approve and file the 2020 Local Agency Biennial Notice.

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER GONZALEZ NOT PRESENT DUE TO CENSURE) to approve and file the 2020 Local Agency Biennial Notice.

19. Approval of City Council/Housing Authority/Successor Agency to the Redevelopment Agency Meeting Minutes

It is recommended that the City Council approve the following City Council/Housing Authority/Successor Agency to the Redevelopment Agency Meeting Minutes:

August 3, 2020 Meeting Minutes
August 7, 2020 Meeting Minutes
August 17, 2020 Meeting Minutes

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER GONZALEZ NOT PRESENT DUE TO CENSURE) to approve the August 3, 2020, August 7, 2020, and August 17, 2020 Meeting Minutes.

20. Approval of City Hall Closure during the 2020 Holiday Season and Adoption of a Resolution Approving Proposed Changes to 2021 City Council Meeting Dates Due to Holiday Conflicts and Establishing Rescheduled Meetings as "Regular" Meetings of the City Council

It is recommended that the City Council adopt the following resolution:

RESOLUTION NO. 2020-123 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING THE CLOSURE OF CITY HALL DURING THE 2020 HOLIDAY SEASON AND CANCELLATION OF 2021 MEETING DATES DUE TO CONFLICTS WITH OBSERVED HOLIDAYS

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER GONZALEZ NOT PRESENT DUE TO CENSURE) to adopt Resolution No. 2020-123.

21. Award of Contract to Interwest Consulting Group for Building and Safety Services for the City of Pomona

It is recommended that the City Council authorize the City Manager, or designee, to execute a three-year agreement with two one-year renewal options with Interwest Consulting Group to provide Building and Safety services for the City of Pomona to start on October 1, 2020, or as soon as possible thereafter.

This item was pulled for discussion by Councilmember Lustro.

Councilmember Lustro expressed his concerns regarding contract-building inspectors not being consistent and suggested that the same inspector be on a project from start to finish. Councilmember Preciado asked for a survey to be conducted regarding Interwest and how they are viewed by the public.

Councilmember Garcia asked if there could be a shorter contract.

City Manager Makshanoff spoke on how the RFP process was conducted for these services and spoke about issues that might arise from a brand new contract company. He said that he and Development Services Director Anita Gutierrez were working to resolve concerns regarding Interwest and making an effort to make improvements.

Development Services Director Gutierrez spoke about her continued efforts to improve building and safety services.

MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER PRECIADO, CARRIED 6-0 (COUNCILMEMBER GONZALEZ NOT PRESENT DUE TO CENSURE) to authorize the City Manager, or designee, to execute a three-year agreement with two one-year renewal options with Interwest Consulting Group to provide Building and Safety services for the City of Pomona to start on October 1,

2020, or as soon as possible thereafter.

22. Adoption of Resolution Amending the FY 2020-21 Operating Budget and Approval Of On-Call Planning And Environmental Planning Consulting Services Master Agreements To Support Current Planning, Special Projects and Environmental Review As Follows: Dudek, Willdan, CASC, Evans Brooks, First Carbon, EPD, Eco Terra, Infrastructure, Impact Science And Rincon

It is recommended that the City Council take the following actions:

- 1) Adopt the following resolution:

RESOLUTION NO. 2020-139 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2020-21 OPERATING BUDGET TO INCREASE REVENUE ESTIMATES BY \$244,375 AND APPROPRIATIONS BY \$212,500 TO ACCOUNT FOR PLANNING DIVISION ON-CALL CONSULTANT ACTIVITY

- 2) Authorize the City Manager or his designee to execute Master Agreements with planning and environmental planning consultants to start on September 15, 2020, or as soon as possible.

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER GONZALEZ NOT PRESENT DUE TO CENSURE) to adopt Resolution No. 2020-139.

DISCUSSION

23. Finding of Public Benefit to the Community at Large-Recommended Expenditure(s) and Recap of Expended Funds

It is recommended that the City Council take the following actions:

- 1) Approve the expenditure(s) recommended and make the finding that the community at large will receive a public benefit from the expenditure of funds for the recommended item(s); and
- 2) Receive and file the recap of final amounts for previously approved projects and activities.

MOTION BY MAYOR SANDOVAL, SECOND BY COUNCILMEMBER GARCIA, CARRIED 6-0 (COUNCILMEMBER GONZALEZ NOT PRESENT DUE TO CENSURE) to make a finding of public benefit for Items A-G as listed in the staff report.

MATTERS INITIATED BY CITY COUNCILMEMBERS

Councilmember Preciado announced the virtual 5K/10K going on right now and said he will update everyone at the next meeting.

Councilmember Garcia spoke about streets being repaved and she knows that there are many more in need of repaving. She thanked those that have donated fans to Keep Cool Pomona.

Councilmember Ontiveros-Cole asked that everyone stay safe and continue to abide by the COVID 19 regulations.

Councilmember Torres thanked the residents for tuning in.

Mayor Sandoval thanked the community for joining the webinar with live comments.

ADJOURNMENT

The City Council meeting was adjourned at 8:40 p.m. on Monday, September 14, 2020.

Respectfully submitted,



ROSALIA A. BUTLER, MMC
City Clerk/Secretary of the Pomona
Housing Authority/Successor Agency to the
to the Redevelopment Agency

ATTEST:



TIM SANDOVAL
Mayor/Chair of the Pomona
Housing Authority/Successor Agency
Redevelopment Agency

SEPTEMBER 14, 2020 REGULAR CITY COUNCIL MEETING
PUBLIC COMMENTS

PUBLIC COMMENT

ELIZABETH BROOKS – Government officials need to get out of the Property Management Business. I encourage the Pomona City Council to stick to city issues. If you take the time to talk to Realtors, you will find that the majority of residential tenants are paying their rent on time. The tenants who always take advantage do not need additional excuses to circumvent their responsibilities. Being able to evict a tenant for being a nuisance is not true. Having a roof over someone's head seems to be more important than the neighbors they are terrorizing. I would like to publicly thank the members of the Pomona Police Department for their time and patience for too many calls for service for one unit. I would like to apologize to Police Chief Ellis for having to take up so much of the Department's time. Instead of assisting responsible tenants, this eviction moratorium, is at times, creating an unsafe environment for those who live next to unruly and irresponsible tenants. I encourage the Pomona City Council to AVOID making stricter guidelines regarding rent control and evictions. What has been put in place by the State and County has created a nightmare for the good tenants of Pomona.

RIKKI FINE – I was sorry to hear that Fairplex in Pomona was not going to be allowed to have the "Drive-Thru Fair Food Experience" other campuses were allowed to offer. My family and I drove to the Orange County Fair yesterday to get our "fix" of Fair Food. We all live in Pomona and support Fairplex. Why have the members of the Pomona City Council been conspicuously quiet about the closing of Fairplex activities? Where is your concern about NOT having the tax revenue these events generate for the City of Pomona? What are your plans to replace this amount of money that Pomona is NOT going to receive this year? The Fairplex brings notoriety to the City of Pomona. My friends and family are in mourning that Fairplex is closed. We expect the members of the Pomona City Council to be more concerned and supportive.

DARRELL KRUSE – In March City Council passed agenda item on permit fees and process for Cannabis businesses. I did not stick around for the agenda item on Zoning of Cannabis Businesses because I was so miserable. As if to answer my prayers Covid struck. Misery loves company. I like the extra money. The mask debates and their participation adding to the riots causing more infections. How could it get any better, well let just say these fires and the heat wave are hitting that State that screwed me over time and again. Even better yet the riots and looting are great entertainment. Especially the professional looting directed against the Cannabis business, you gotta love it and maybe learn from it. How could you ignore the facts about how your previous council and especially that hateful mayor Torres villainized the first legal Cannabis Business in this City and Authorized enforcement to use every means. Where is my god damned license. You raided places after my complaints but I don't have the priority that I was told I would have if they ever allowed the use. Lying cheating Government workers. How is this equal treatment under the law, mother fathers.

JULIE MESTAS – I'm writing for tonight's meeting regarding the homeless situation actually the Vagrants within the City and the Destruction that they cause to our properties/property owners. I manage several commercial properties within the City. This morning received a text regarding a break-in through our wrought-iron fence in the back alley near Downtown Pomona. It seems we are focusing on the wrong people. We have so many services for homeless but they don't want our help because they want their lifestyle. We are not helping businesses that pay taxes and business license fees to help with City services, but who helps the Businesses??? I ask the Council to find a solution to keep our businesses here in Pomona. Thank you!

CONSENT CALENDAR ITEM NO. 2 (POMONA ECONOMIC OPPORTUNITY CENTER FUNDING)

JENNA HOOVER – I am a resident of Pomona and a member of First Presbyterian Church of Pomona. I would like to express my support for item #2 and the renewal of funding for the Pomona Economic Opportunity Center and operation of the Pomona Day Labor Center. The PEOC provides valuable services and support to a marginalized community of low-wage workers and immigrant community members.

KATHARINE LESLIE – I am urging continued funding and support of Pomona Economic Opportunity Center and continuing operation of the Pomona Day Labor Center (Item #2).

PEOCC provides invaluable affordable services to our Pomona community. I have utilized their services in the past and will utilize them in the future. I am grateful they provide high quality, safe, affordable services to people like me, a senior on a fixed income.

I appreciate that PEOCC facilitates decent jobs at fair wages to people in our more marginalized communities and provides safeguards for them that, among other things, assures they will not be taken advantage of by unscrupulous individuals.

PEOCC is a win-win service organization that we cannot afford to lose.

Please renew funding for the Pomona Economic Opportunity Center and ensure continued operation of the Pomona Day Labor Center.

ELIZABETH BROOKS – In reviewing the 2020-2021 Proposed Budget for the Pomona Economic Opportunity Center, I see no need for the City of Pomona to contribute additional funds.

The PEOC is receiving hundreds of thousands of dollars from outside foundations. Their expenses seem to be exorbitant for the service they provide. I suggest, instead, that they go back and "trim the fat" as the rest of Pomona's organizations have had to do.

I encourage you to NOT vote to contribute city funds to PEOC.

REV. ELIZABETH GRAINGER – I am a resident and am a chaplain at Pomona Valley Hospital Medical Center. I would like to express my very strong personal support for Item #2 and the renewal of funding for the Pomona Economic Opportunity Center and operation of the Pomona Day Labor Center. I know first-hand that many in the community receive fundamentally important services from the PEOC. I have observed the wonderful and all-inclusive support and resources they provide. Many of the patients who come to the hospital have also told me about how much PEOC helped them. I am writing to ask that these valuable services to some of the most vulnerable in our community are continued. Please consider how much this organization helps when you are renewing funding.

HAYDN CAMPMIER – My name is Haydn Campmier and I'm emailing to voice support for continued funding of the Day Laborer Center. This center has provided and can continue to provide support for Day Laborers who are low-income and/or immigrants. Please continue to allow the Day Laborer Center to continue to provide resources and support for our Day Laborer community members.

RAUL MADRID JR. – My name is Raul Madrid Jr., and I am a resident of Pomona. I would like to express my support for Item #2 and the renewal of funding for the Pomona Economic Opportunity Center and operation of the Pomona Day Labor Center. The PEOC provides valuable services and support to a marginalized community of low-wage workers and immigrant community members. At this time, during a global pandemic, it is this population that we must not turn our backs on.

MIKE SUAREZ – My name is Mike Suarez I have been a resident of Pomona for over 35 years and a board member of the Latino/ Latina Round Table. I would like to express my support for item #2 and the renewal of funding for the Pomona Economic Opportunity Center and operation of the Pomona Day Labor Center. The PEOC provides valuable services and support to a marginalized community of low-wage workers and immigrant community members of Pomona. Thank you.

MARK WARREN – According to their 990 tax returns for 2018, the Pomona Economic Opportunity Center ended the year with \$237,897.00 cash in the bank and \$40,012.00 in a savings account. I feel that some of their expenditures do not seem to be in line with their Mission Statement.

The PEOC receives hundreds of thousands of dollars from outside foundations. Before agreeing to commit any funds from the City of Pomona, I strongly urge that an audit of their expenses be conducted to see why this would even be necessary.

I encourage you vote NO to contributing city funds to POEC.

JULIANNA PINA – I am a resident of Pomona and member of Gente Organizada. I would like to express my support for the agenda item #2 and the renewal of funding for the Pomona Economic Opportunity Center and operation of the Pomona Day Labor Center. The PEOC provides very important and valuable services and support to low wage workers and immigrant community members.

ANN NEMER – My name is Ann Nemer. For 32 years I was a teacher in the Pomona Unified School District, where I worked with the students of low wage earners and day laborers. I would like to express my support for item #2 and the renewal of funding for the Pomona Economic Opportunity Center and operation of the Pomona Day Labor Center. The PEOC provides valuable services and support to a marginalized community of low-wage workers and immigrant community members. Thank you for your time and consideration.

FRANCISCO SUAREZ – I am a former resident and business owner in Pomona. I am very familiar with the work of the Pomona Economic Opportunity Center (PEOC). Their work as one of the first centers in the San Gabriel Valley should be commended for their help to thousands of marginalized people. The City of Pomona should be commended for continuing to contribute to such a fine organization and all of its committed employees.

MAEGAN ORTIZ – My name is Maegan Ortiz and I'm the Executive Director of the Instituto de Educacion Popular del Sur de California (IDEPSCA). We are the largest single operator of Day Labor Centers in California, operating five day labor centers in Los Angeles City.

We know from personal experience the importance of municipal investment in workforce development programs that support a largely undocumented workforce. Often left out of the traditional workforce development role, centers like the Pomona Economic Opportunity Center have their finger on the pulse and are constantly innovating in supporting the training and placement of workers. But beyond that the Pomona Economic Opportunity Center is also an example of leadership and civic engagement. I personally have witnessed this leadership in action at events and trainings hosted by them and when workers who have been helped have attended events at one of our locations.

Furthermore, places like Pomona Economic Opportunity Center are trusted wrap around services and support that go way beyond what could ever be funded. I have seen the passion and commitment demonstrated by the staff there. In a moment such as this one, when immigrant workers have to hold numerous disasters like the pandemic and wildfires, on top of the historic economic disaster day laborers and household workers have faced, the Pomona Economic Opportunity Center deserves not just to be funded but celebrated as an example of evolution beyond survival.

RUTH MARTINEZ – My name is Ruth Martinez. I am a resident of Pomona and a young professional. I would like to express my support for item #2 and the renewal of funding for the Pomona Economic Opportunity Center and operation of the Pomona Day Labor Center. The PEOC provides valuable services and support to a marginalized community of low-wage workers and immigrant community members. As a member of the PEOC community and the daughter of immigrant parents, I believe Pomona can be a supporter of this initiative to improve the livelihood of this city. Thank you for your time.

DANIELA ALVARENGA – My name is Daniela and I am a workers' organizer with the Pomona Economic Opportunity Center (PEOC) and I am expressing support for renewal of PEOC funding. During and pre-COVID we have provided valuable resources to community members most impacted by structural inequities. We have provided job

employment opportunities, direct financial assistance to workers during COVID, food and housing assistance, and led various efforts in census outreach to ensure Pomona is counted. We look forward to your continued engagement and funding for years to come.

EVELIA ROCHA – My Name is Evelia Rocha, resident of Pomona and member of Padres Unidos. I would like to express my support for item #2 and the renewal of funding for the Pomona Economic Opportunity Center and operation of the Pomona Day Labor Center. The PEOC provides valuable services and support to marginalized community of low-wage workers and community members.

FERNANDO ROMERO – Hello, my name is Fernando Romero, I am the Executive Director of the PEOC.

The PEOC has a long history and deep cultural roots in the city of Pomona since our founding in 1998. For more than 22 years, PEOC has been a beacon of hope and invaluable support to the most marginalized communities including low-wage workers, the homeless and the immigrant community in this city.

During this past year, the work of the PEOC became even more evident and more needed than ever before during the COVID-19 pandemic. Since March 2020, amidst shelter-in-place restrictions that triggered an economic shutdown, many of our community members were pushed into brink of despair and total marginalization as many lost their jobs and livelihood and many lacked access to COVID19 relief packages from local and federal government leaving them in dire situations of evictions and displacement.

Since March 2020, we've continued to provide direct support in the forms of gift cards, food vouchers, health access and direct cash assistance to hundreds of workers and families in Pomona. We've partnered with various community leaders and organizations to coordinate food drives and direct assistance. Also, in 2020, we've participated in close partnership with the City and local agencies to ensure an accurate in the 2002 Census.

We continue to provide workforce support and job opportunities to local low-wage and immigrant workers ensuring financial stability for many working families in Pomona. For this and much more, we look forward to our partnership with the City of Pomona and the renewal of our funding for current fiscal year. Thank you.

M. JOYCE BAKERSMITH – I object to continuing the financial support to an organization that has been receiving funds from the City for more than 20 years and has done nothing to equitably help ALL Day Laborers receive jobs.

The Pomona Economic Opportunity Center (PEOC) was established as a DAY Labor Center to eliminate massive gatherings of day laborers in the vicinity of the Contactor's Warehouse on Mission from:

- Impeding traffic,
- Restricting access to local businesses, and
- Creating trash traditionally left by large gatherings.

The intent was for the Center to become self sufficient. Self Sufficiency, has not happened. It has gained a spot in the City Budget.

I object to POEC's receiving funds, as I object to the Pomona Chamber of Commerce and the Camara de Comercio Hispana del Ville de Pomona, who requested \$10,000 under the DONATION AND FINDING OF PUBLIC BENEFIT REQUEST agenda category on the August 3, 2020 Meeting attachment.

PEOC does not offer equal opportunity for all day laborers and it should not receive City Funds. POEC exists only for hiring opportunities of undocumented workers.

CONSENT CALENDAR ITEM NO. 3 (POMONA CHAMBER OF COMMERCE FUNDING)

ELIZABETH BROOKS – Membership in the Pomona Chamber of Commerce is open to all businesses. I believe the Pomona City Council should support this funding.

Brick and mortar business are suffering during this pandemic. More attention needs to be directed to their needs and the Chamber is in a strong position to assist them.

I appreciate that the City is finally working on shutting Second Street for outside dining, but it is a few months too late. Perhaps giving the Chamber more financial support with allow them to be more aggressive in serving the the business community.

I encourage you to vote YES for funding the Pomona Chamber of Commerce.

M. JOYCE BAKERSMITH – I object to continuing the financial support to the Pomona Chamber of Commerce. The organization continues to receive funds and it seems to me that it should be self-sufficient. I saw the attachments that accompanied the Item on the agenda. It showed receipts and expenditures. I did not see achieved results listed. If the benefits of being a member can be better defined, perhaps that might encourage more membership from all Pomona Businesses, and this would eliminate its need to solicit funds from the City. Additionally, why is there a need for Camara de Comercio Hispana del Ville de Pomona? If these two chambers were combined, perhaps that would make for a more economically stronger, and more all inclusive Business Chamber for our City.

It seems if we would all work together for the common good of uniting us, our City would be better off and more compassionate and understanding of all residents in the City.